

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

HARWICK CHYA ABRAM,

\*

Plaintiff,

\*

v.

\*

Civil Action No. 8:21-cv-01991-PX

AEROTEK, INC.,

\*

Defendants.

\*\*\*

**MEMORANDUM OPINION AND ORDER**

Presently pending is Plaintiff Harwick Chya Abram’s motion to reopen and set aside dismissal of the Complaint, which the Court construes as a motion for reconsideration of its order dismissing the Complaint. ECF No. 19. Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, reconsideration is available “(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice.” *Pac. Ins. Co. v. Am. Nat’l Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir. 1998). “Rule 59(e) motions may not be used, however, to raise arguments which could have been raised prior to the issuance of the judgment . . . .” *Id.*

Abram has provided no grounds for the Court to reconsider its prior decision. Abram argues only that the Court never considered the “merits of the case” and that reopening the case would “enable[] equitable administrative litigation process.” ECF No. 19 ¶¶ 24, 26. But the Court did consider the merits of Abram’s claims and concluded that the claims were barred by the doctrine of res judicata. ECF No. 17. Abram fails to advance any argument that the prior decision amounted to a clear error of law.

Moreover, the proposed amended complaint that Abram attaches to her motion alleges the same claims that the Court already determined to be barred by res judicata. ECF No. 19-2.

Thus, even if the Court reopened the matter and permitted Abram to proceed on the proposed amended complaint, the claims would still fail as a matter of law.

Accordingly, it is this 2nd day of December 2022, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. Plaintiff's Motion for Reconsideration (ECF No. 19) IS DENIED; and
2. The Clerk shall TRANSMIT a copy of this Memorandum Opinion and Order to the parties and CLOSE this case.

12/2/2022  
Date

/S/  
Paula Xinis  
United States District Judge